

**FILED**

AUG 20 2008

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY DEPUTY CLERK

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- 4 Plaintiffs in Pro Per

**LODGED**

AUG 19 2008

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA UNITED STATES DISTRICT COURT  
By J. HELLINGS EASTERN DISTRICT OF CALIFORNIA  
DEPUTY CLERK

11 JOE FLORES, an individual; CONNIE } Case No.: CIV-F-05-0291 AWI/DLB  
12 FLORES, an individual.

13 Plaintiffs,  
vs.  
14 DENNIS HAGOBIAN, an individual, and  
15 DOES 1 through 100, inclusive. } STIPULATION TO CONTINUE THE  
16 } HEARING DATE AND RELATED  
17 } DATES OF DEFENDANTS MOTION  
18 } TO DISMISS THE THIRD AMENDED  
19 } COMPLAINT FOR FAILURE TO  
20 } STATE A CLAIM

21 Defendants.

JURY TRIAL DEMANDED

21 IT IS HEREBY STIPULATED by and between Plaintiffs Joe Flores and Connie  
22 Flores (hereinafter "Floreses") appearing in propria persona, and Ralph Swanson,  
23 attorney of record for Defendants Dennis Hagopian, Victoria Hagopian, The Dennis  
24 Hagopian Residential Trust (improperly named as The Dennis Hagopian Residence  
25 Trust), The Victoria Hagopian Residential Trust (improperly named as The Victoria  
26 Hagopian Residence Trust), Yosemite Technologies, Inc. and, by special appearance, Rod  
27 Christiansen (hereinafter collectively, "Hagopian Defendants") that the Motion to  
28 Dismiss the Third Amended Complaint (hereinafter "TAC") for Failure to State A Claim

STIPULATION TO CONTINUE HEARING DATE AND ORDER THEREON . . .

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E.d

1 filed by Hagopian Defendants currently scheduled for hearing on September 15, 2008, at  
2 1:30 p.m., in Courtroom 2 before the honorable Anthony W. Ishii, shall be continued to  
3 October 6, 2008 at 1:30 p.m., in Courtroom 2.  
*Let my [initials]*

4 IT IS FURTHER STIPULATED that Floreses opposition and Hagopian Defendants  
5 reply to motion to dismiss as referenced herein, shall be filed in accordance to and as  
6 provided by statute in conjunction to the new calendar date of October 6, 2008.

*At Local Rule 78-230*

7  
8 Dated: August 17 2008

9 By \_\_\_\_\_  
Connie Flores, Plaintiff in pro per

10  
11 Dated: August 17 2008

12 By \_\_\_\_\_  
Joe Flores, Plaintiff in pro per

13  
14 Dated: August 18 2008

15  
16 BERLINER COHEN

17  
18 Dated: August 18 2008  
19 By \_\_\_\_\_  
Ralph Swanson, Attorney for Defendants:  
20 Dennis Hagopian, Victoria Hagopian, The  
Dennis Hagopian Residential Trust, The  
Victoria Hagopian Residential Trust,  
Yosemite Technologies, Inc.  
21 and, by special appearance, Rod Christiansen  
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SUPPLIATION TO CONTINUE HEARING DATE AND ORDER THEREON . . . .

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## DECLARATION OF JOE FLORES

1. I, Joe Flores declare as follows:

2. I am a resident of Tulare County, City of Visalia, State of California.

3. I do hereby make this declaration voluntarily of personal knowledge, and if asked to testify as to the contents of this declaration I can and will competently do so.

4. I am a plaintiff in pro per in the above referenced action.

5. I am personally involved in numerous cases in the United States District Court, Eastern District of California, as well as Superior Court of California in Fresno, Central Division.

10        6. I need additional time to prepare my opposition to Hagopian Defendants and  
11 for that reason have requested of Ralph Swanson, Counsel for Hagopian Defendants,  
12 additional time to prepare my Opposition to their motion to dismiss the TAC for Failure  
13 to State A Claim.

14       7. Floreses and Hagopian Defendants through their counsel Ralph Swanson  
15 have agreed that the hearing of Hagopian Defendants Motion to Dismiss be continued  
16 to October 6, 2008 at 1:30 p.m., in Courtroom 2, and Floreses opposition, as well as  
17 Hagopian Defendants' reply to Floreses opposition will be due for filing in accordance to  
18 statute and in conjunction with the new calendar date of October 6, 2008.

19       8. Declarant respectfully request that the Court approve the foregoing hearing  
20 date change, as well as the related date changes for filing and service of Floreses  
21 opposition to Defendants motion, and Defendants reply to Floreses opposition to their  
22 motion as set forth in the attached signed stipulation to continue the hearing date and  
23 related dates in this matter.

I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct. 

Dated: August 18, 2008

~~Respectfully Submitted By:~~

Joe Flores, Plaintiff in pro per

**ORDER**

1  
2 Upon review of the foregoing Stipulation of the parties and good cause appearing  
3 therefore,

4 **IT IS HEREBY ORDERED:**

5 1. that the existing hearing date of September 15, 2008 at 1:30 p.m., in  
6 Courtroom 2, is vacated and the hearing date of Hagopian Defendants Motion to Dismiss  
7 for Failure to State A Claim is rescheduled for October 6, 2008 at 1:30 p.m., in  
8 Courtroom 2.

9 2. Floreses Opposition and Hagopian Defendants Reply shall be filed and served  
10 per statute in conjunction with the new calendar date of October 6, 2008.

11  
12 Dated: August 20, 2008

  
\_\_\_\_\_  
Judge Anthony W. Ishii

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STIPULATION TO CONTINUE HEARING DATE AND ORDER THEREON . . . .

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